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J.W.

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/746,613	11/12/96	RHOADS	G EWG-082

ELMER W. GALBI  
13314 VERMEER DRIVE  
LAKE OSWEGO OR 97035

LM31/0722

EXAMINER

COUSO, J

ART UNIT	PAPER NUMBER
2721	14

DATE MAILED:

07/22/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

<b>Office Action Summary</b>	Application No.	Applicant(s)
	08/746,613	RHODS
Examiner	J.L. Couts	Group Art Unit

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication .
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

#### Status

Responsive to communication(s) filed on 4/6/99

This action is FINAL.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 1 1; 453 O.G. 213.

#### Disposition of Claims

Claim(s) 1-5 is/are pending in the application.

Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

Claim(s) 1-5 is/are allowed.

Claim(s) \_\_\_\_\_ is/are rejected.

Claim(s) \_\_\_\_\_ is/are objected to.

Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

#### Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.

The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. § 119 (a)-(d)

Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All  Some\*  None of the CERTIFIED copies of the priority documents have been received.

received in Application No. (Series Code/Serial Number) \_\_\_\_\_

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

#### Attachment(s)

Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_  Interview Summary, PTO-413

Notice of Reference(s) Cited, PTO-892  Notice of Informal Patent Application, PTO-152

Notice of Draftsperson's Patent Drawing Review, PTO-948  Other \_\_\_\_\_

#### Office Action Summary

Art Unit: 2721

1. The request filed on April 30, 1999 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application number 08/746,613 is acceptable and a CPA has been established. An action on the merits for the CPA follows.

2. Claims 1-5 are allowed.

3. This application is in condition for allowance except for the following formal matters:

There are several appendices referenced throughout the text, however the appendices have been physically lost. Applicant must therefore, as stated by the rules 37 CFR §1.77(a)(6), submit a microfiche appendix since the appendices are 1077 pages. Reference in the application to the microfiche appendix must be made at the beginning of the specification at the location indicated in 37 CFR §1.77(a)(6), i.e. after the paragraph for continuing data and the paragraph for related applications, the total number of microfiche and total number of frames should be specified.

If applicant chooses not to submit a microfiche appendix, applicant must delete all references in the specification to the appendices.

Applicant is asked to submit an amendment to clarify the continuation and related application data. Applicant can submit two separate paragraphs, one for the continuation application data and another for the relation application data. Applicant must update all the application status, that is if an application has been patented this must be stated along with the patent number, on the other hand if an application has been abandoned this must be stated.

Just as a reminder three new paragraphs should be amended to page 1.

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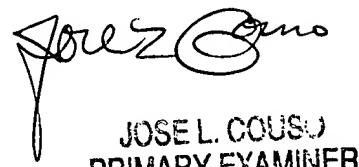
Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jose L. Couso whose telephone number is (703) 305-4774. The examiner can normally be reached on Monday through Friday from 7:30 to 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Boudreau, can be reached on (703) 305-4706. The fax phone number for this Group is (703) 308-9051 or (703) 306-9052.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-8576.



JOSE L. COUSO  
PRIMARY EXAMINER

jlc

July 19, 1999